

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARK DANIELS, 13B0317,

Petitioner,

-v-

ERIE COUNTY HOLDING CENTER,

Respondent.

12-CV-1265Sc
ORDER



Petitioner has notified the Court that he wishes to withdraw this action. Because no answer or motion for summary judgment has been filed by any adverse party, the notification must be treated as a voluntary withdrawal pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) such that the petition is dismissed without prejudice.

The Clerk of Court is directed to return the attached documents, submitted to the Court but not filed, to the petitioner.

SO ORDERED.

S/ Michael A. Telesca

MICHAEL A. TELESKA
United States District Judge

Dated: March 27, 2013
Rochester, New York